SEVERE ARRAIGNMENT OF BARKER BY PUBLIC PROSECUTOR ERWIN

The Assailant of Rev. John Keller Winced Under the Fierce De- 3 nunciation.

The impending climax to the sensa-tional trial of Thomas G. Barker for the shooting of Rev. John Keller brought a Jersey City Court-House to-day semed as if all of Arlington had come to the trial, bag and baggage. Every sel began summing up, and the quota of women was greater than ever.

The Bethany Chapter delegation, all sealous partisans of Mr. Keller, were bunched in the centre of the court-room. Across the alsle was the Presbyterian delegation, teeming with ardor in Barker's behalf and with excuses for

The Barkers, accompanied by Miss Germond, as usual, were the first of the principals to take their seats. Barker seemed nervous and conferred alternately with his lawyers and his wife. To Mrs. Barker he spoke earnestly in

sibility of his conviction, for his wife turned ashy pale and shook her head dgorously. Then her eyes filled with tears. Her breath came quick and fast

Boon after the Barkers came Keller, led by Lawyer Parker. He shuffled up the aisle slowly and painfully. His face was ghastly white and his features wore an expression even more drawn and pitiful than usual.

Judge Blair took his seat at 10.25 o'clock and without delay Lawyer Van Winkle began his plea for Barker:

Woman turns as naturally to the the sun. She finds her hope and her consolation there. She puts her trust in the Church and in her spiritual ad-

And I say that when a clergyman of the Church takes advantage of a wompossession he commits the most dastardly crime in the calendar.

"When clergymen in convention as-sembled say that this man is innocent and that, innocent or guilty, he is their friend, it is all right as an act of friendship, but bad taste and poor judgment, as the clergymen do not constitute the

"When the elergymen say that a clergyman cannot commit a crime that you or I, men with human passions,

The first thing Barker said to the 'I was justified in shooting him. He ! wronged my wife;' showing that he be lieved he was right in his act. If he thought he was right, theh he was unable to tell right from wrong.

You might start now to consider facts surrounding the crime as alleged. A jury is more likely to be impressed by the sight of a pis ch then by evidensurrounding its use.

The Justification

For instance, I talked with Juro Gospel, in argument. Before he can convinced as a man he must have facfrom me. How can he form a conv tion, as a juror, unless he had the same basis of fact which I have been allowed in this case to show?
"In the indictment Mr. Barker

charged with a high crime, the per alty of which is seven years. But th er crime, punishable by imprisonmen for fifteen years. It is our contenti that this crime is justification for the crime of assault with intent to kil We place the higher crime first.

Church Not on Trinl.

"One thing I want to make clear. Th church is not on trial in this case, no

is the church trying the case.
"The church stands for the truth an weks only to know the truth. not the way the church would try th case. The church would seek light all sides, not to conceal the facts. "I have been so much in the habit

prosecuting mer accused of crime this court that it has cost me an effor to appear for the defense. But in th case I believe that I represent the strong man, the pure woman, the la as much as I ever did when I was Pro-

Not Tied Down to Evidence.

"Much of the testimony regarded a material by the defense has been strick en out. This compels me to confine my self to a general, and to me unsatisfic tory, resume of this case. The Cour cernot tie the jury down to the ev dence. The defense has disclosed that a wrong of an undefined nature wa committed. We now begin this case We said to ourselves as we looked at the representatives of the press, These men represent millions of people wh want to know the truth."

"We came to present the truth. Ther is just this and no more to this case. An outrage was committed. There not know what an outrage means. 'You have a right to use your powers

of inference in this case. You have right to take the very blackest view of the meaning of the word outrage "Here are some of the reasons why I say you have a right to aquit th man. If Barker was in such a state of mind that he did not know the difference between right and wrong when he shot this man you have

right in law to aquit him. "It, on the other hand, Mrs. Barker's story was true, and if she was the victim of Keller, Barker is justified in who he did by a verdict of humanity and the verillet of every jury that ever

passed upon this question What Broke Their Friendship. Again, in law you may acquit Barif you find that as a result of the heard he was the victim of an delusion.

happened in April, 198,

BARKER HEARS THE JURY'S VERDICT OF GUILTY.

eason why Mr. Keller had ceased his sits was because of a difference over oney matters.

"As exhibite in the case are thes records that this man borrowed money frequently from Mrs. Barker, a poor dge. He denies that he borrowed it ere on these slips of paper, in evidence that will you do with them?

and that money was not borrowed thout Mr. Barker's knowledge. Now u find Mr. Harker making the disvery in January, 1991, and you have testimony concerning the condition als mind from many witnesses. This defendant's wife stood for hin all that was good in this world. She his sovereign. Along came Mr. He visited that house when he el. We will show you that the situa-

ellef he may have formed. Jekyl and Hyde.

The man who lives the normal life mai man, but the celibate is the Jeky

and him making a plan to go to Central Park the next day. He did not leave ie house intending to shoot anyhou homas G. Barker on that morning was ot the Barker of two months before ome was ruined. He could see no re

He said to himself that the brute n the Paterson case had been insuf-ciently punished. He met the man here was the story in his mind and it Barker lay in wait for Mr. Keller there for her to blacken herself and ruin her is nothing to support it. You can buy all the medical testimony you want it these days. I place no faith in the test timony of Dr. McGill and Dr. Strasser. Mr. Van Winkle here illustrated the theory of the defense as to the shooting,

Mrs. Barker Weeps.

ker's agony of mind just before the be proud to-day. He is the only man in shooting Mrs. Barker was nearly over- all Arlington who threw a stone at this come. Her bosom heaved convulsively woman, It is a case of Bethany Chapand she caught her breath sharply. and she sobbed bitterly. Her husband of American law has a man been found

Mr. Barker did not know until he that it was most peaceful. We opened wrong, was informed as described. the door for the State to attack his type. reputation, and they could not do it. | Mr. Keller has not told a lie

Barker's Sanits.

McGill was positive Barker was imes the maddest men in the world are the shrewdest and the most cure in

said, "we do not go to the jury on this lips are scaled. The State has the last vidence to any great extent. We leave word and all the best of it. Barker's mind when he shot Keller. Gentlemen, you must think with some disideration of Mrs. Barker. She has inducted herself in this court for five days not as a hysterical woman, but as a woman of composure.

Why did not Mr. Keller vindicate inself when he had a chance when all the opportunity and his own coun-

Personal Appeal to Jury.

"But when he got on the stand he ed to say that he had not committed say anything about. If I were on this jury I would make up my mind to acjuit or to slay out a week rather than and Hyde of society.

"The night before the shooting you had him making a plan to go to Central

Barker was not justified in what he did?

Mr. McAndrews, how can you say it? You can't say it. You don't know what ught to stay in that box till dooms The lawyer appealed personally to adividual members of the jury. He was dramatic, and walked close up to to each juror in turn as he appealed to

that Mrs. Barker imagined this story. pleaded with her husband not to do any violence, and she had no motive to lie.

"The attack on Mrs. Barker's charac ter was the most dustardly proceeding in this story of this case. The wit one was a member of Bethany Chap While Mr. Van Winkle told of Bar- ter. This one, Mr. Dunthorne, ought to ter against the world.

"You will find that never in the history urned and spoke to her softly and she guilty of murder for killing the wronger soon recovered her composure.

Mrs. Barker's agitation was seen by "You will, if you convict this de-

I saw Juror Nelson shut his eyes while first to the church, next to himself. Dr. Fisher was testifying. Several of He reasons that if he admits his crime

"Bear in mind the church is not at-

"Nobody knows so well whether this same. He is always positive Juries and story is true or false as Mr. Keller. grand juries can make mistakes but He could tell-and he alone-who is the Lawyer Van Witkle argued that some-been permitted to prove it. He would that he makes a deliberate attempt to

"Here is Thomas G. Barker's last complishing their purpose. "But," he message to you. When I sit down his

> "It is for you," says Barker, 'to send me back home vindicated or condemn "Jersey justice, proverbial all over the world, is to be upheld or chrown down by you. Which shall it be?"

Mr. Van Winkle's appeal to the jury, but otherwise he betrayed no concern. Mr. Keller's face and neck were flush Mr. Van Winkle finished with som

began his argument immediately.

POWERFUL PLEA FOR CONVICTION.

counsel for the defense," said Prose-cutor Erwin. "I was struck with one hing that ran through all his address-

jurymen in this case were I to insinu-ate that you would take any action but decide this case on the evidence. It seems to me that when we began the form. The nature of such duty, being defined by law, I do not intend to appeal to any junor by name, to call the names of the jurors and virtually intruct their verdict as counsel did. I only ask you to abide by your oath, to tecide this case on the evidence and

of on outside circumstances. "The State could not go into this outrage story. The Court is the controlling factor on all issues of law and the Court reled out this testimony.

Just What the Case Is.

"Now, let us see what this case is this case he is unused to his position I say the case has been conducted with remarkable skill on his part and the part of his associate. All I ask is that you decide the case one way or an-

"Remember that the State of New Jersey is to a certain extent on trial every one of the jurors, because the fendant, be the first and only jury on here to-day. Remember that the swift-

ssault with intent to kill, an atrocious assault and battery. He has pleaded ot guilty and you have heard his counsel's defense.

nany defenses that it looked as though

"Thomas G. Barker is charged with

trial, and that the people of the whole

must show that the defendant was saue shot John Keller on Feb. 3, 1991. He aim at him and fired, and thereafter shot three times more.

you, then it is shown beyond all ques tion that he was the author of the act as he claims. But if we find that subthe line of exculpation we must decide avoid guilt."

Evidence Annlyzed. Mr. Erwin analyzed the evidence

You have the minister's testimony that he did not see Barker or any other ma that the first thing he knew was whe he felt a sharp pain and was blinded and heard a noise. Keller is corrobo rated by the witnesses.

"Despite counsel's twisting of the ev dence it is plain that the shot came from behind. It was an assassin's bulo this defendent that this shooting ould not be regarded by you as the owardly act of a man from ambush, thing about "What was! the attitude of Keller that line. n the stand? Do you remember the nswer he gave when asked why he said Keller, 'and did not want to fasman unless sure to a moral certainty orn and bred to tell the truth?

"It seems to me that that act of John Ketter, lying on his bed that siderable hesitancy about making fateful morning, stamped him as man who would always speak the truth and nothing but the

n the corner of the room occupied by the ministers, followed by hand-clapping and the delicious beverage fascinated n the seats reserved for the women of me, so that I hastened to inform my

Quelled the Outbreak. The outbreak was quelled before it

gained great strength. Judge Blair, sternly.

the law says I have and you have cerand I am now feeling perfectly well. tain rights, what can we say when we ask that a man should at least be rea- was troubled much as I, and she has sonably sure he is right before he goes other man? "Barker bought his gun ten days

did he buy this gunt "Did he not have time enough in way."

Barker's Wife's Eyes Filled with Tears When It Was Suggested Her Husband Might Be Convicted.

than the shooting could have done.

No Chance to Defend Himself. "First he buys this gun, second he preferred no charges against Keller. "He took the law in his own

"He insulted the law.

"He insulted and affronted the church. He did what no fair man would do. FROM AMBUSH, FROM BEHIND, WITHOUT A WORD OF WARNING, WITHOUT GIVING HIS VICTIM A CHANCE TO DENY OR

ociety. He puts himself outside

dassachusetts grass widower told Barwhere it is impossible to keep any sehouse dlet known as hash.

carried this secret in her heart, carrie rue matron do this?

"Did Lucrece remain silent whe the was wronged by Tarquinf

when he returned from the hunt and his retinue, but cried out: 'He, he, Tar "Don't you consider that the very HALF FORMER PRICES. hat a sensible man would have taken only course open to him, the arrest and prosecution of John Keller for as

"I must hurry on, but I believe tha we could, if we had the opportunity, beginning to end on the evidence brought out. Her story is absolutely ridiculous.

"Counsel tells you if Barker believed he story, whether it was true or no that he had the right in law to go out nunity would we have if we agreed

Referring to the money transactions Mr. Erwin said: "Mrs. Barker and

Mr. Erwin charged that Barker and his wife fixed up the memorandum which Mrs Barker claimed showed loans between them, "Can you imagine," he cried, "a clergyman low down enough to borrow 25 cents from

"I think it is utterly foolish for me to waste time talking about the defens of insanity. Even their own expert wa unable to say that on the day of the

(Continued on Third Page.)

KNOWS HOW. Been Over the Road Himself.

When a doctor who has been the victim of the coffee habit cures himself by leaving off coffee and taking Postum Food Coffee he knows something about what he is advising in A good old doctor in Columbus.

Ohio, who had at one time been the tild not say he recognized Barker's victim of the coffee habit, advised order when he was brought to his bedder I thought I was about to die. Columbus, O., to leave off coffee and take on Postum Food Coffee. She suffered from indigestion and

a weak and irregular heart and general nervous condition. She thought that it would be difficult to stop coffee abruptly. She says: "I had conthe change, one reason being that a friend of mine tried Postum and did 2 not like it. The doctor, however, gave explicit directions that Postum must be boiled long enough to bring out the flavor and food value.

"His suggestions were carried out friend who had rejected Postum. By the way, she is now using it regularly after she found that it could be made to taste as nice as it does.

winkle so that the jury could hear.

"There is a delegation of clergymen my nervous system. I could sleep my nervous system. I could sleep soundly and my brain was more acsoundly and my brain was more acsoundly and my brain became clear and accept payment at the rate 2 "Not one word more about it," said tive. My complexion became clear and rosy, whereas it had been muddy "I want to put this simple proposition and spotted before-in fact, all of

"Mrs. David McDonald, a friend, recovered from her heart and stomusing Postum Food Coffee.

before he shot Mr. Keller. Why have had much the same experience. It is only necessary that the Postum ?
be well boiled and it wins its own ? BERNHEIM & CO.'S Values Are Famous.

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DANCING IS BENEFICIAL

physical either, but an evening spent in dancing with good company and good music relieves the mind of business worry and responsibility.'

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